

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8 and 10-20 are presently pending in this case. Claim 9 is canceled without prejudice or disclaimer, Claims 5-8, 10, 11, and 17-20 are withdrawn, and Claims 1-3, 12, 14, and 15 are amended by the present amendment. As amended Claims 1-3, 12, 14, and 15 are supported by the original claims, no new matter is added.

In the outstanding Official Action, the title was objected to; Claims 1-4, 9, and 12-16 were objected to; Claims 14-16 were rejected under 35 U.S.C. §112, second paragraph; Claims 1, 3, and 4 were rejected under 35 U.S.C. §102(e) as anticipated by Izumisawa et al. (U.S. Patent No. 6,878,989, hereinafter "Izumisawa"); Claims 1, 2, 4, and 15 were rejected under 35 U.S.C. §102(e) as anticipated by Onishi et al. (U.S. Patent Application Publication No. 20010028083, hereinafter "Onishi"); Claims 1, 2, 4, and 9 were rejected under 35 U.S.C. §102(e) as anticipated by Yamaguchi et al. (U.S. Patent Application Publication No. 20030222327, hereinafter "Yamaguchi"); and Claims 12-14 and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Onishi in view of Krumrey et al. (U.S. Patent Application Publication No. 20030222297, hereinafter "Krumrey").

The title is amended herewith to better describe the invention. Accordingly, the objection to the title is believed to be overcome.

With regard to the objection to Claims 1-4, 9, and 12-16, Claims 1, 2, 3, and 15 are amended to recite "each of the first conductivity type semiconductor layers" or "one of the first conductivity type semiconductor layers." Accordingly, the objection to Claims 1-4, 9, and 12-16 is believed to be overcome.

With regard to the rejection of Claims 14-16 under 35 U.S.C. §112, second paragraph, Claim 14 is amended to recite "a second semiconductor structure that is identical to the

semiconductor structure and is physically separated from the unit cell by the separating member, is formed in the element region located underneath the second gate wiring.” Claim 15 is amended to recite “a distance between an end portion of the source electrode on the termination region side and an end portion on the termination region side of the first conductivity type semiconductor layer further formed on the side surface of the separating member on the termination region side is set to 10 μm or more.” Consequently, Claims 14-16 are in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejections of Claim 1 as anticipated by Izumisawa or Onishi, those rejections are respectfully traversed.

Claim 1 is amended herewith to include the subject matter of canceled Claim 9. As the outstanding Office Action did not cite either Izumisawa or Onishi as describing the subject matter of Claim 9, it is respectfully submitted that Claim 1 (and all claims dependent therefrom) is patentable over Izumisawa or Onishi.

With regard to the rejection of Claim 1 as anticipated by Yamaguchi, that rejection is respectfully traversed.

The present application is a CIP of International Application No. PCT/JP02/03216. The filing date of the international application (March 29, 2002) is before the filing date of Yamaguchi (March 17, 2003). To properly claim the priority date of International Application No. PCT/JP02/03216, the attached faithful English translation and drawings with translated description of the Japanese specification of the originally filed international application are submitted to prove that amended Claim 1 is supported by International Application No. PCT/JP02/03216. It is respectfully submitted that the English translation clearly shows that amended Claim 1 is supported by the descriptions in the Japanese specification and drawings of the originally filed international application. Accordingly, it is respectfully submitted that Yamaguchi does not qualify as prior art under 35 U.S.C. §102

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with respect to amended Claim 1. Thus, Claim 1 (and all claims dependent therefrom) is patentable over Yamaguchi.

With regard to the rejection of Claims 12-14 and 16 as unpatentable over Onishi in view of Krumrey, it is noted that Claims 12-14 and 16 are dependent from Claim 1, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Krumrey does not cure any of the above-noted deficiencies of Onishi. Accordingly, it is respectfully submitted that Claims 12-14 and 16 are patentable over Onishi in view of Krumrey.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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